

1 AN ACT relating to immunization and declaring an emergency.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 214.036 is amended to read as follows:

4 Nothing contained in KRS 158.035, 214.010, 214.020, 214.032 to 214.036, and 214.990
5 shall be construed to require the testing for tuberculosis or the immunization of any child
6 at a time when, in the written opinion of his attending physician, such testing or
7 immunization would be injurious to the child's health. Nor shall KRS 158.035, 214.010,
8 214.020, 214.032 to 214.036, and 214.990 be construed to require the immunization of
9 any child whose parents are opposed to medical immunization against disease, and who
10 object by a written sworn statement to the immunization of such child on religious
11 grounds. **Further, nothing contained in KRS 158.035, 194A.025, 214.010, 214.020,**
12 **214.032 to 214.036, 214.990, or KRS Chapter 211, shall be construed to permit the**
13 **Cabinet for Health and Family Services, or any other agent or instrumentality of the**
14 **Commonwealth of Kentucky to require the immunization of any person**~~[Provided,~~
15 ~~however, that in the event of an epidemic in a given area, the Cabinet for Health and~~
16 ~~Family Services may, by emergency regulation, require the immunization of all persons~~
17 ~~within the area of epidemic, against the disease responsible for such epidemic].~~

18 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 338 IS CREATED TO
19 READ AS FOLLOWS:

20 **No employer as defined in KRS 338.015 shall require the immunization of any**
21 **employee as defined in KRS 338.015.**

22 ➔Section 3. Whereas need to ensure the civil rights of Kentucky citizens is
23 compelling and immediate, an emergency is declared to exist and this Act takes effect
24 upon its passage and approval by the Governor or upon its otherwise becoming law.